

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:13-CV-98-BO

VAN FLEMING, *et al.*,)
Plaintiffs,)
)
v.) O R D E R
)
PROSPECT MORTGAGE LLC,)
Defendant.)

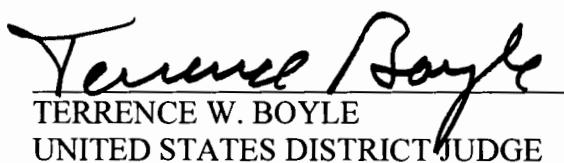
This cause comes before the Court on defendant's motion to stay proceedings pending a decision by the United States Judicial Panel on Multidistrict Litigation (In re: Prospect Mortgage, LLC Fair Labor Standards Act (FLSA) and Wage and Hour Litigation, MDL No. 2486) regarding consolidation for pretrial proceedings. Plaintiffs oppose the motion to stay this action.

It is within this Court's broad discretion "to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). A hearing will likely be held before the Multidistrict Litigation (MDL) Panel on December 5, 2013, and a decision on the motion for coordinated or consolidated pretrial proceedings is expected to issue shortly thereafter. In light of the brevity of the stay and the early stage of these proceedings, the Court finds that the interests of judicial economy and defendant in temporarily staying this action outweigh the interest of plaintiffs in proceeding here. *See Meyers v. Bayer AG*, 143 F. Supp.2d 1044, 1049 (E.D.Wis. 2001).

The Court therefore, in its discretion, GRANTS defendant's motion to stay [DE 23]. This action is hereby STAYED in its entirety pending resolution of defendant's motion before the MDL Panel. The parties are hereby DIRECTED to inform the Court within ten (10) days of

any decision by the MDL Panel, and, should the case not be transferred and consolidated for pretrial proceedings, notify the Court whether modification of the scheduling order currently in place is required.

SO ORDERED, this 20 day of November, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE